

PROB 12C  
(REV. 12/04)

## UNITED STATES DISTRICT COURT

FILED

AUG 18 2016

for

WESTERN DISTRICT OF TEXAS

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature] DEPUTY CLERK**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Alejandro Gabriel Navarro Case Number: SA-12-CR-888(1) FB

Name of Sentencing Judicial Officer: Honorable George P. Kazen, Senior United States District Judge  
October 22, 2012: Reassigned to Honorable Fred Biery, United States District Judge.

Date of Original Sentence: September 14, 2007

Original Offense: Possession with Intent to Distribute a Quantity in Excess of 5 Kilograms of Cocaine, a Schedule II Controlled Substance, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 18 U.S.C. § 2.

Original Sentence: Seventy-eight (78) months imprisonment, five (5) year term of supervised release, and a \$100 special assessment.

Type of Supervision: Supervised Release Date Supervision Commenced: July 16, 2012

Assistant U.S. Attorney: Diana M.H. Song Defense Attorney: Guillermo Garcia

**PREVIOUS COURT ACTION**

On August 21, 2012, Senior United States District Judge George P. Kazen ordered the issuance of a warrant following notification of the offender's arrest on July 20, 2012, by the San Antonio Police Department for Driving While Intoxicated.

On September 25, 2012, a transfer of jurisdiction to the Western District of Texas-San Antonio Division from the Southern District of Texas-Laredo Division was accepted by the Court.

On December 5, 2012, an Agreed Order Modifying Supervised Release for alcohol abstinence, DWI Victim Impact, and DWI Education was accepted by the Court.

**PETITIONING THE COURT**

- ☒ To issue a warrant  
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

1.      **The defendant shall not commit another federal, state, or local crime.**

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2. **The defendant shall abstain from the use of alcohol and/or all other intoxicants during the term of supervised release.**

According to the San Antonio Police Department, the offender was arrested for Driving While Intoxicated 2<sup>nd</sup> on July 16, 2016. According to the offense report, while the officer was making a traffic stop for speeding, the offender's speech was slurred and he stuttered. When the officer questioned the offender about alcohol use, he admitted to drinking "not that much." The offender failed the sobriety test, refused a breathalyzer test, and a blood draw was administered. The results of the blood draw are pending. Mr. Navarro's hearing is set for September 23, 2016, in Bexar County Court at Law No. 12, under cause number 522509.

On July 18, 2016, the offender reported to the probation office to report the new arrest and admitted to drinking one and a half beers after having a disagreement with his girlfriend. A breathalyzer test was administered at the probation office, which yielded negative results.

**U.S. Probation Officer Recommendation:** On July 16, 2012, Alejandro Gabriel Navarro began his term of supervised release. He has been on supervision for approximately 48 months and has Criminal History Category of I, with a prior juvenile adjudication.

According to the presentence report, Mr. Navarro reported snorting cocaine at the age of 16 and used on weekends for an 18 month period. He reported he began using marijuana on weekends at the age of 17 for one year. Further, Mr. Navarro also reported drinking alcohol socially at the age of 18.

Within four days of beginning federal supervision, the offender was arrested for Driving While Intoxicated (DWI) in Bexar County Texas. Since Mr. Navarro had been in federal custody for sixty (60) days, Judge Michael La Hood of Bexar County Court at Law No. 9 sentenced the offender to three (3) days jail, credit for time served, with \$652.00 in court costs, and a \$300.00 fine.

On December 5, 2012, in response to the offender's DWI arrest, the Federal Court accepted an Agreed Order Modifying Supervised Release which imposed conditions requiring alcohol abstinence, the DWI Victim Impact Program, and the DWI Education Program. The offender completed all programs as ordered. The offender completed substance abuse treatment with Treatment Associates on December 19, 2013.

In light of this information, it is respectfully recommended Alejandro Gabriel Navarro's term of supervised release be revoked.

☒ The term of supervision should be

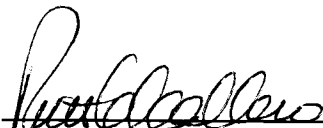
☒ revoked. (Maximum penalty: 5 years imprisonment; Up to life years supervised release; and payment of any unsatisfied monetary sanction previously imposed)

☐ extended for     years, for a total term of     years.

☐ The conditions of supervision should be modified as follows:

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Approved:



Ruth Caballero

Supervising U.S. Probation Officer

Telephone: (210) 472-6590, Ext. 5340

cc: Charlie Strauss  
Assistant U.S. Attorney

Marc S. Martinez  
Assistant Deputy Chief U.S. Probation Officer

Respectfully submitted,



Monica Stroupe

U.S. Probation Officer

Telephone: (210) 472-6590, Ext. 5341

Date: August 15, 2016

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THE COURT ORDERS:

☐ No action.

☒ The issuance of a warrant.

☐ The issuance of a summons.

☐ Other \_\_\_\_\_



Honorable Fred Biery  
U.S. District Judge

8/18/16  
Date